

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CR-103-D

UNITED STATES OF AMERICA

v.

JAMES A. MACALUSO,

Defendant.


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ORDER

On January 28, 2019, James A. Macaluso ("Macaluso"), appearing pro se, filed a motion for a copy of the court transcripts and judgment [D.E. 35]. To the extent the motion could be construed as a motion to obtain the documents without charge, the motion is DENIED. Macaluso may write his former lawyer to obtain a copy of the judgment. Although a court reporter transcribed Macaluso's arraignment and sentencing, the court reporter did not prepare a transcript. No one ordered one.

"An indigent is not entitled to a transcript at government expense without a showing of need, merely to comb the record in the hope of discovering some flaw." United States v. Shoaf, 341 F.2d 832, 833-34 (4th Cir. 1964). Macaluso has failed to show a particularized need for the transcripts. To the extent Macaluso's motion could be construed as motion to obtain transcripts without charge, the motion [D.E. 35] is DENIED.

SO ORDERED. This 1 day of February 2019.


JAMES C. DEVER III
United States District Judge